

# **EXHIBIT A**

**Long, Julia**

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**From:** Long, Julia  
**Sent:** Wednesday, April 30, 2025 5:27 PM  
**To:** Jeremy.Sternberg@hklaw.com; hmiles@selendygay.com; Smith, Chris; Hellmann, Sarah; HB-JJHCS; Andrew.Solinger@hklaw.com; HK-JJHCS@hklaw.com; kate.ledden@huschblackwell.com; Emily.Robey-Phillips@hklaw.com; jennifer.cavner@huschblackwell.com; pselendy@selendygay.com; adun-lap@selendygay.com; mnelson@selendygay.com; esnow@selendygay.com; Matthew Nussbaum; EWOHLFORTH@rc.com; SGalli@rc.com; ~mberman@hdrbb.com  
**Cc:** Mangi, Adeel; LoBiondo, George; Ashby, Patrick; Arrow, Sara; Jeffrey Greenbaum; Katherine Lieb; DL SaveOnSP  
**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-CCC-CLW) // Proposed Supplemented Second Amended Complaint

Counsel:

We agree. We will file the motion as unopposed accordingly and attach this email.

Best,  
Julia

**Julia Long | Counsel | T +1 212 903 9399 | M +1 516 457 0495 | Linklaters LLP | New York**

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**From:** Jeremy.Sternberg@hklaw.com <Jeremy.Sternberg@hklaw.com>  
**Sent:** Tuesday, April 29, 2025 2:55 PM  
**To:** hmiles@selendygay.com; Long, Julia <julia.long@linklaters.com>; Smith, Chris <Chris.Smith@huschblackwell.com>; Hellmann, Sarah <Sarah.Hellmann@huschblackwell.com>; HB-JJHCS <HB-JJHCS@huschblackwell.com>; Andrew.Solinger@hklaw.com; HK-JJHCS@hklaw.com; kate.ledden@huschblackwell.com; Emily.Robey-Phillips@hklaw.com; jennifer.cavner@huschblackwell.com; pselendy@selendygay.com; adun-lap@selendygay.com; mnelson@selendygay.com; esnow@selendygay.com; Matthew Nussbaum <mnussbaum@selendygay.com>; EWOHLFORTH@rc.com; SGalli@rc.com; ~mberman@hdrbb.com <mberman@hdrbb.com>  
**Cc:** Mangi, Adeel <adeel.mangi@linklaters.com>; LoBiondo, George <george.lobiondo@linklaters.com>; Ashby, Patrick <patrick.ashby@linklaters.com>; Arrow, Sara <sara.arrow@linklaters.com>; Jeffrey Greenbaum <JGREENBAUM@sillscummis.com>; Katherine Lieb <klieb@sillscummis.com>; DL SaveOnSP <dlsaveonsp@linklaters.com>  
**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-CCC-CLW) // Proposed Supplemented Second Amended Complaint

**Caution: External email.**

Express Scripts and Accredo will also not oppose the proposed supplementation subject to the same condition preserving the appellate rights identified in Ms. Miles' email below.

**Jeremy Sternberg | Holland & Knight**

Partner

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**From:** Hannah Miles <[hmiles@selendygay.com](mailto:hmiles@selendygay.com)>

**Sent:** Tuesday, April 29, 2025 2:47 PM

**To:** julia.long <[julia.long@linklaters.com](mailto:julia.long@linklaters.com)>; Smith, Chris <[Chris.Smith@huschblackwell.com](mailto:Chris.Smith@huschblackwell.com)>; Hellmann, Sarah <[Sarah.Hellmann@huschblackwell.com](mailto:Sarah.Hellmann@huschblackwell.com)>; HB-JJHCS <[HB-JJHCS@huschblackwell.com](mailto:HB-JJHCS@huschblackwell.com)>; Sternberg, Jeremy M (BOS - X71476) <[Jeremy.Sternberg@hklaw.com](mailto:Jeremy.Sternberg@hklaw.com)>; An-drew.Solinger@hklaw.com; HK-JJHCS <[HK-JJHCS@hklaw.com](mailto:HK-JJHCS@hklaw.com)>; Ledden, Kate <[kate.ledden@huschblackwell.com](mailto:kate.ledden@huschblackwell.com)>; Robey-Phillips, Emily (BOS - X71466) <[Emily.Robey-Phillips@hklaw.com](mailto:Emily.Robey-Phillips@hklaw.com)>; jennifer.cavner <[jennifer.cavner@huschblackwell.com](mailto:jennifer.cavner@huschblackwell.com)>; pselendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; adun-lap@selendygay.com; mnelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; esnow <[esnow@selendygay.com](mailto:esnow@selendygay.com)>; Matthew Nussbaum <[mnussbaum@selendygay.com](mailto:mnussbaum@selendygay.com)>; EWohlforth@rc.com; SGalli@rc.com; ~mberman@hdrbb.com <[mberman@hdrbb.com](mailto:mberman@hdrbb.com)>

**Cc:** Mangi, Adeel <[adeel.mangi@linklaters.com](mailto:adeel.mangi@linklaters.com)>; LoBiondo, George <[george.lobiondo@linklaters.com](mailto:george.lobiondo@linklaters.com)>; Ashby, Patrick <[patrick.ashby@linklaters.com](mailto:patrick.ashby@linklaters.com)>; Arrow, Sara <[sara.arrow@linklaters.com](mailto:sara.arrow@linklaters.com)>; Jeffrey Greenbaum <[JGREENBAUM@sillscummis.com](mailto:JGREENBAUM@sillscummis.com)>; Katherine Lieb <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; DL SaveOnSP <[dlsaveonsp@linklaters.com](mailto:dlsaveonsp@linklaters.com)>

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-CCC-CLW) // Proposed Supplemented Second Amended Complaint

*[External email]*

Counsel:

SaveOn will not oppose the proposed supplementation if J&J agrees that SaveOn preserves all appellate rights regarding J&J's claims based on the three new drugs, to the same extent as if those drugs had been at issue in the Special Master's R&Rs of February 24, 2025 and March 20, 2025, adopted by the District Court on April 24, 2025.

Best,  
Hannah

**Hannah Miles**

Associate [\[Email\]](#)

Selendy Gay PLLC [\[Web\]](#)

Pronouns: she, her, hers

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**From:** Long, Julia <[julia.long@linklaters.com](mailto:julia.long@linklaters.com)>

**Sent:** Monday, April 28, 2025 5:37 PM

**To:** Smith, Chris <[Chris.Smith@huschblackwell.com](mailto:Chris.Smith@huschblackwell.com)>; Hellmann, Sarah <[Sarah.Hellmann@huschblackwell.com](mailto:Sarah.Hellmann@huschblackwell.com)>; HB-JJHCS <[HB-JJHCS@huschblackwell.com](mailto:HB-JJHCS@huschblackwell.com)>; Jeremy.Sternberg@hklaw.com; An-drew.Solinger@hklaw.com; HK-JJHCS@hklaw.com; kate.ledden@huschblackwell.com; Emily.Robey-Phillips@hklaw.com; jennifer.cavner@huschblackwell.com; Philippe Selendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; adun-lap@selendygay.com; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Elizabeth Snow <[esnow@selendygay.com](mailto:esnow@selendygay.com)>; Hannah Miles <[hmiles@selendygay.com](mailto:hmiles@selendygay.com)>; Matthew Nussbaum <[mnussbaum@selendygay.com](mailto:mnussbaum@selendygay.com)>; EWohlforth@rc.com; SGalli@rc.com; ~mberman@hdrbb.com <[mberman@hdrbb.com](mailto:mberman@hdrbb.com)>

**Cc:** Mangi, Adeel <[adeel.mangi@linklaters.com](mailto:adeel.mangi@linklaters.com)>; LoBiondo, George <[george.lobiondo@linklaters.com](mailto:george.lobiondo@linklaters.com)>; Ashby, Patrick <[patrick.ashby@linklaters.com](mailto:patrick.ashby@linklaters.com)>; Arrow, Sara <[sara.arrow@linklaters.com](mailto:sara.arrow@linklaters.com)>; Jeffrey Greenbaum <[JGREENBAUM@sillscummis.com](mailto:JGREENBAUM@sillscummis.com)>; Katherine Lieb <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; DL SaveOnSP

<[dlsaveonsp@linklaters.com](mailto:dlsaveonsp@linklaters.com)>

**Subject:** JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-CCC-CLW) // Proposed Supplemented Second Amended Complaint

Counsel:

JJHCS intends to move to supplement its complaint. The substance of the supplementation is limited to paragraph 180: JJHCS seeks to update that allegation to reflect that three more drugs now have CarePath terms and conditions that bar SaveOnSP by name. JJHCS's motion will be made pursuant to Rules 15 and 16 of the Federal Rules of Civil Procedure, and the Court's ruling that "factual allegations based on forthcoming updates to CarePath's terms and conditions—yet to be implemented—must be added separately by way of a motion." D.E. 569 at 24 n.11.

We intend to file the motion tomorrow, which includes substantive changes to a single sentence (copied below). Please let us know by tomorrow at 3:00 p.m. ET whether Defendants consent to the relief JJHCS seeks. To aid your consideration, I have attached a copy of JJHCS's Proposed Supplemented Second Amended Complaint for your review.

October 4, 2024. In January 2025, JJHCS anticipates adding ~~the above language across all of its terms to the copay assistance programs by early for INTELENCE®, PREZCOBIX®, and ZYTIGA®. See Ex. C (CarePath terms and conditions for INTELENCE®, PREZCOBIX®, and ZYTIGA® effective January 2025).~~ ¶

Best,  
Julia

**Julia Long | Counsel**

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